

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI
SOUTHERN DIVISION

JONATHAN MANGAN, individually, and on
behalf of all other persons similarly situated,

Plaintiff,

vs.

CHRISTIAN COUNTY, MISSOURI, by and
through its Board of County Commissioners, ROY
MATTHEWS, TOM CHUDOMELKA, and
BILL BARNETT, in their official capacities; and
STEVE WHITNEY, Sheriff of Christian County, in
his official capacity,

Defendant.

Case No. 99-3373-CV-S-RGC

PLAINTIFF'S MOTION TO MODIFY ORDER CERTIFYING CLASS

COMES NOW Plaintiff and moves the Court to modify its Order of October 13, 1999
certifying the class.

A Memorandum in support of this motion is being filed contemporaneously herewith.

WHEREFORE, Plaintiff respectfully requests this Court to modify its Order certifying the
class as follows: (1) clarifying that the class is certified pursuant to Rule 23(b)(2) for the purposes of
injunctive relief, not damages; (2) redefining the class as “all persons who are now or in the future will be
incarcerated in the Christian County, Missouri jail;” (3) relieving him of the obligation to notify class

members of the existence of this lawsuit or, in the alternative, finding that notice posted in the Christian County jail informing inmates of the lawsuit and their right to intervene is the “best notice practicable under the circumstances;’ or (4) for such other and further relief as the Court deems just and equitable.

SHOOK, HARDY & BACON L.L.P.

By _____
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ATTORNEYS FOR PLAINTIFF

CERTIFICATE OF SERVICE

I hereby certify that on this 1st day of November, 1999, I mailed, postage prepaid, a true and correct copy of the above and foregoing to:

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Attorney for Defendants

Attorney for Plaintiff